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OFFICE OF GENERAL
COUNSEL

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October 27, 2010

FEDERAL ELECTION COMMISSION
999 E Street, NW
Washington, DC 20463

MUR # 6418

Attention: Compliance Division

Re: The Republican Committee of Chester County [PA]
Committee Number C00172023 [terminated]
and
Friends of Joe Pitts,
FEC Committee Number C00310136
and
Duer Pierre, Treasurer, Friends of Joe Pitts

To whom it may concern:

Please be advised I have been retained by Lois Herr, individually, and Herr-2010, Committee Number C00461475, to request a formal investigation by your offices into the publications of The Republican Committee of Chester County [PA], taken on behalf of the Friends of Joe Pitts, FEC Committee Number C00310136, and/or Duer Pierre, Treasurer of said committee.

It has come to the attention of Candidate Herr that the Republican Committee of Chester County has published and caused to be distributed a series of video communications which were clearly produced for the specific purposes of influencing voters in the General Election scheduled for November 2, 2010. Specifically, Ms. Herr is the target of communications produced for the benefit of the political campaign of incumbent Congressman Joseph R. Pitts and/or his campaign committee, Friends of Joe Pitts.

Each of the video productions bears the indication: "Paid for by The Republican Committee of Chester County." Fifteen separate videos have been distributed to news media outlets across the nation, and all are currently cached and available to the public at www.leftwinglois.com. An exhibit to this letter provides the specific date, title, and the exact time in which each "paid for" disclaimer appears in each respective video.

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Despite the overt attempt to influence voters in a federal election, there appears to be:

1. No filing by The Republican Committee of Chester County with the Federal Election Commission of (a) any current registration of that organization (FEC Form 1), nor (b) any REPORT OF RECEIPTS AND DISBURSEMENTS For An Authorized Committee (FEC Form 3) for independent expenditures in the 3rd Quarter of 2010; and
2. No filing by The Republican Committee of Chester County with the Federal Election Commission of any 48 HOUR NOTICE OF CONTRIBUTIONS/LOANS RECEIVED (FEC FORM 6) for independent expenditures since October 13, 2010 (See Video #15, distributed to the public on October 24, 2010); and
3. No filing by The Republican Committee of Chester County with the Federal Election Commission of any REPORT OF RECEIPTS AND DISBURSEMENTS FOR OTHER THAN AN AUTHORIZED COMMITTEE (FEC FORM 3X) for any independent expenditures on behalf of Friends of Joe Pitts; and
4. No indication in any of the actual fifteen videos produced to date of whether the video production is or is not in authorized by Friends of Joe Pitts as mandated by 2 U.S.C. § 441a(a) (2) and (3).

Alternatively, as the video productions were obviously produced with the abilities of at least one individual with some skill at video production and web-based transmissions, these video productions have obvious monetary value, at least to not only the producers, but to the campaign committee Friends of Joe Pitts, as well. Notwithstanding obvious value, there appears to no be:

5. No listing of the in-kind value of video production services by Duer Pierce, Treasurer, Friends of Joe Pitts, in the REPORT OF RECEIPTS AND DISBURSEMENTS For An Authorized Committee (FEC Form 3) for value realized in the 3rd Quarter of 2010; and
6. No listing of the in-kind value of video production services by Duer Pierce, Treasurer, Friends of Joe Pitts, in any 48 HOUR NOTICE OF CONTRIBUTIONS/LOANS RECEIVED (FEC FORM 6) for receipts since October 13, 2010 (See Video #15, distributed to the public on October 24, 2010).

While it is clear to Ms. Herr and Herr-2010 that The Republican Committee of Chester County is apparently, at least:

1. In violation of the Federal Election Code, 2 U.S.C. § 433, for failing to register; and

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2. In violation of the Federal Election Code, 2 U.S.C. § 434, for failing to report independent expenditures and/or contributions to a federal congressional campaign, specifically that campaign known as Friends of Joe Pitts; and
3. In violation of the Federal Election Code, 2 U.S.C. § 441d, for failing to clearly indicate whether the videos produced were authorized or not authorized by Friends of Joe Pitts; and

while it is also clear to Ms. Herr and Herr-2010 that Duer Pierce, Treasurer, Friends of Joe Pitts is apparently, at least:

4. In violation of the Federal Election Code, 2 U.S.C. § 434(b) for failing to report the value of in-kind contributions from a political party committee,

Ms. Herr and Herr-2010 accordingly request the Compliance Division institute an investigation into the averments outlined above. Additionally, in the event the FEC determines the actions of either or both The Republican Committee of Chester County [PA], taken on behalf of the Friends of Joe Pitts, and/or Duer Pierce, Treasurer of said committee, are not in compliance with the Federal Election Code, both Ms. Herr and Herr-2010 request sanctions be imposed as authorized by 2 U.S.C. § 437g of the Federal Election Code and such other actions as may be appropriate.

Both Ms. Herr and Herr-2010 expressly reserve the right to amend this request for an investigation in the event other violations of the Federal Election Code and the regulations promulgated thereunder are later discovered. In the meantime, both Ms. Herr and Herr-2010 are ready and willing to assist in the investigation in any manner requested.

Very truly yours,



Gregory Paulson

cc: Lois Herr
Herr-2010

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Exhibit
Videos Produced by The Republican Party of Chester County

Lois Herr #1: Rules for Radicals - <http://www.youtube.com/watch?v=y9eYdJG9d3k>
uploaded July 15, 2010

Disclaimer appears at: 1:30 in 1:34 production - "Paid for by the Republican Committee of Chester County"

Lois Herr #2: Howard Dean - <http://www.youtube.com/watch?v=Wj0uK4XJGBI>
July 23, 2010
1:30 / 1:35

Lois Herr #3: How Liberal is Lois? <http://www.youtube.com/watch?v=TH2IHxMX7Ls>
July 25, 2010
1:02 / 1:10

Lois Herr #4: Barney Frank Healthcare -
<http://www.youtube.com/watch?v=OWBaH4CzOIU>
August 3, 2010
2:22 / 2:37

Lois Herr #5: Breaking the Rules -
<http://www.youtube.com/watch?v=MBGcozr7mqw>
August 14, 2010
1:32 / 1:40

Lois Herr #6: The Cruise, Part 1 - <http://www.youtube.com/watch?v=6NILn-o7q8A>
August 22, 2010
1:54 / 2:02

Lois Herr #7: The Cruise, Part 2 - <http://www.youtube.com/watch?v=6NILn-o7q8A>
August 22, 2010
2:16 / 2:25

Lois Herr #8: Government-Funded Abortion -
<http://www.youtube.com/watch?v=CYvCUIFUDTI>
August 29, 2010
1:16 / 1:24

Lois Herr #9: Marijuana - <http://www.youtube.com/watch?v=2GnRkr-Gx7A>
September 8, 2010
1:16 / 1:25

Lois Herr #11: ACORN - <http://www.youtube.com/watch?v=jXqpNbmfrig>
September 8, 2010
1:37 / 1:44

Lois Herr #12: The Earmarks Flip-Flop -
http://www.youtube.com/watch?v=Mbpl_H7JJU
September 8, 2010
1:28 / 1:36

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Lois Herr #10: Left of Obama - <http://www.youtube.com/watch?v=aVVdJ64Vxl0>
September 19, 2010
2:04 / 2:20

Lois Herr #13: Left of Pelosi - <http://www.youtube.com/watch?v=aVVdJ64Vxl0>
October 11, 2010
1:57 / 2:03

Lois Herr #14: No Plan for Jobs - http://www.youtube.com/watch?v=wM7_FYs6uH8
October 12, 2010
1:34 / 1:45

Lois Herr #15: The Candidate Who Cried Wolf -
<http://www.youtube.com/watch?v=i146aLUydvE>
October 24, 2010
1:26 / 1:34

Source: <http://www.youtube.com/chescogop>

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